

# Examiner-Initiated Interview Summary

Application No.

09/917,897

Applicant(s)

OGAWA ET AL.

Examiner

Marjorie A. Moran

Art Unit

1631

## All Participants:

(1) Marjorie A. Moran.

(2) Mark Hayman.

Status of Application: \_\_\_\_\_

(3) \_\_\_\_\_

(4) \_\_\_\_\_

Date of Interview: 30 November 2004

Time: \_\_\_\_\_

## Type of Interview:

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description:

## Part I.

Rejection(s) discussed:

*All*

Claims discussed:

*3, 5, 21, 22*

Prior art documents discussed:

*Specht*

## Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

*See Continuation Sheet*

## Part III.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.



(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Mr. Hayman was informed in a message that the after-final amendment of 11/12/04 had been fully considered but would not be entered as the amendment introduces a new issue. The limitation in amended claims 3 and 5 for a "vinylsulfonyl-type" cross-linking agent introduced a new issue under 35 USC 112. Claims 19 and 20 recited a cross-linking agent "comprising a vinylsulfonyl group" which was not indefinite. However, it is unclear what is intended (i.e. the metes and bounds) by a "vinylsulfonyl-type" cross-linking agent. Is this intended to be the same as the cross-linking agent previously recited in claims 19 and 20? Or can the cross-linking agents comprise another group as long as it is the same "type"; e.g. a vinyl group attached to some other moiety? As the proposed amendment would introduce unclarity to the claims, it is a new issue and will not be entered. In addition, the examiner stated that the prior art of SPECHT teaches at least two of the specific cross-linkers comprising vinylsulfonyl groups which are recited in claims 21 and 22 (see col. 9, lines 8-18). As the rejections in the final office action were cumulative (i.e. claims 19 and 20 were rejected over prior art "as applied to" claims 3 and 21, or claims 5 and 22, in view of SPECHT, claims 21 and 22 were rejected over the combination of references including SPECHT. Thus, even if the after-final amendment were entered, the prior art rejections would be maintained. The examiner also stated that the arguments with regard to unexpected results were not convincing, and explained that further details would be set forth in the Advisory Action. .